IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1678 (S/S) of 2005

Bhagwat Singh,
son of Sri Satye Singh,
resident of Village – Mend Block – Bhilangana,
Tehsil – Ghansali,
District – Tehri Garhwal .....Petitioner.

V e r s u s.

1. State of Uttaranchal through District Education Officer, Tehri Garhwal.

2. Block Education Officer, Bhilangana, Tehsil – Ghansali, District – Tehri Garhwal.

3. Village Education Committee, Village – Mend, Block – Bhilangana, Tehsil – Ghansali, District – Tehri Garhwal

4. District Primary Education Programme (DPEP)/ Additional District Education Officer, Tehri Garhwal.

.....Respondents.

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Anil Bisht, learned counsel for the petitioner and learned standing counsel for State of Uttaranchal, who put in appearance on behalf of respondents no. 1, 2 and 4.

Learned counsel for the petitioner has submitted that petitioner had applied for the post of Shiksha Mitra in Primary School, Mend, Block – Bhilangana, Tehsil – Ghansali, District – Tehri Garhwal. The name of the petitioner for the post of Shiksha Mitra has been rejected by the Basic Education Officer on the ground that the post of Shiksha Mitra is reserved for female candidate. The Director, School Education, Uttaranchal has issued a direction that if the female candidate from Gram Sabha would not be available then the post will be filled up from the eligible male candidate for the post of Shiksha Mitra and in the present case,

no female candidate is available for the post of Shiksha Mitra.

In view of the above, if the name of the petitioner has been approved by the Village Education Committee, respondent no. 4 is directed to reconsider the claim of the petitioner in the light of order dated 26.08.2005 passed by Direction, School Education, Uttaranchal, within a period of four weeks from the date of production of certified copy of this order.

With this direction the writ petition is disposed of. No order as to costs.

(M.M Ghildiyal, J.)

November 17, 2005
SKSharma